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6 Counsel for **BENJAMIN BERKOWITZ**

7 UNITED STATES DISTRICT COURT
8 DISTRICT OF NEVADA
9

* * *

10 UNITED STATES OF AMERICA,
11
12 Plaintiff,

13 vs.

14 **BENJAMIN BERKOWITZ,**
15 Defendant.
16

2:11-127-GMN
2:12-cr-00070-GMN -CWH
STIPULATION TO CONTINUE
SENTENCING

(First Request)

17 IT IS HEREBY STIPULATED AND AGREED, by and between Daniel G. Bogden, United
18 States Attorney, and Sarah Griswold, Assistant United States Attorney, counsel for the United States
19 of America, and Rene L. Valladares, Federal Public Defender, and William Carrico, Assistant
20 Federal Public Defender, counsel for, BENJAMIN BERKOWITZ, that the sentencing hearing
21 currently scheduled for, July 12, 2012, at the hour of 9:30 a.m. be vacated and set to a date and time
22 convenient to this Court. In no event, however, earlier than seven (7) days or a date and time
23 convenient with the court.

24 This Stipulation is entered into for the following reasons:

25 1. Mr. Berkowitz's is the care giver for his 67 year old mother. His mother is awaiting
26 results from tests to see if she has colon cancer. Mr. Berkowitz would like to be with his mother
27 when she receives these test results as she also suffering from congestive heart failure and he doesn't
28 know how getting the results will affect her.

- 1 2. The defendant is not incarcerated and does not object to a continuance.
- 2 3. Denial of this Stipulation to Continue could result in a miscarriage of justice.
- 3 4. The additional time requested by this Stipulation is excludable in computing the time
- 4 within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United
- 5 States Code, § 3161(h)(3)(A) and Title 18, United States Code, § 3161(h)(7)(A), considering the
- 6 factors under Title 18, United States Code, §§ 3161 (h)(7)(B)(I), 3161 (h)(7)(B)(iv).

7 This is the first request for continuance filed herein.

8 DATED this 6th day of July, 2012.

9
10 RENE L. VALLADARES
Federal Public Defender

DANIEL G. BOGDEN,
United States Attorney

11 */s/ William Carrico*
12 By: _____
13 WILLIAM CARRICO
Assistant Federal Public Defender

/s/ Sarah Griswold
By: _____
SARAH GRISWOLD
Assistant United States Attorney

1
2 UNITED STATES DISTRICT COURT
3 DISTRICT OF NEVADA

4 * * *

5 UNITED STATES OF AMERICA,
6 Plaintiff,

7 vs.

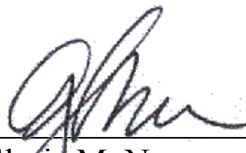
8 **BENJAMIN BERKOWITZ,**
9 Defendant.

2:11-CR-127-GMN
2:12-cr-00070-GMN -CWH
ORDER

10 **ORDER**

11 IT IS THEREFORE ORDERED that the sentencing hearing currently scheduled for, July 12,
12 2012 at the hour of 9:30 a.m., be vacated and continued to July 19, 2012 at
13 the hour of 11:00 a.m.

14 **DATED** this 9th day of July, 2012.

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18 Gloria M. Navarro
19 United States District Judge
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